

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

FORMOSTAR, LLC; *et al.*, )  
Plaintiffs, ) Case No.: 2:11-cv-01166-GMN-CWH  
vs. )  
HENRY FLORENTIUS *et al.*, )  
Defendants. )  
)  
)

## ORDER

On July 13, 2012, this Court entered an Order (ECF No. 30) adopting a Report and Recommendation (ECF No. 23) by Magistrate Judge Carl W. Hoffman, recommending that a Motion to Compel Arbitration (ECF No. 14) and a Motion to Stay Pending Arbitration (ECF No. 15) be granted and that this case be stayed pending arbitration. On April 21, 2014, this Court ordered the parties to file a joint status report regarding the progress of the arbitration. (Minute Order, ECF No. 31). Defendants and Plaintiff Formostar filed separate Status Reports (ECF Nos. 32 & 33), indicating that no action had been taken by Plaintiffs to institute arbitration and that Plaintiffs have no intention of arbitrating their case. On March 31, 2015, this Court ordered Plaintiffs to show cause why this case should not be dismissed with prejudice in light of their intention not to arbitrate, and warned Plaintiffs that failure to respond by April 14, 2015 would result in dismissal of this case with prejudice. (Order to Show Cause, ECF No. 34). As of the date of this Order, no response has been filed. Accordingly,

**IT IS HEREBY ORDERED** that this case is **DISMISSED** with prejudice.

The Clerk of the Court shall enter judgment accordingly and close the case.

**DATED** this 13th day of May, 2015.

Gloria M. Navarro, Chief Judge  
United States District Judge